

RELIEF OF CERTAIN ALIENS

MARCH 13, 1956.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H. J. Res. 554]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 554) for the relief of certain aliens, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

The amendments are as follows:

On page 2, line 9, after the words "visa fee," strike out the colon and insert the following: " , under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose:

On page 2, line 21, after the title "Sister", strike out "Jules M." and substitute in lieu thereof the name "Jewel".

On page 2, line 21, after the name "Kan-Nien Chen," strike out "Lihwa" and substitute in lieu thereof the name "Li-Hwa".

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to grant the status of permanent residence in the United States to 18 persons. The resolution also provides for the payment of the required visa fees and, where necessary, for the appropriate quota deductions.

The first amendment is to correct the language of section 2 of the bill to provide that the beneficiary submit to medical treatment for tuberculosis if such treatment should become necessary.

The other amendments are to correct the spelling of two names.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of private calendars on the floor of the House, has decided to include the names of several beneficiaries of pending bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

The beneficiaries of this joint resolution were the subjects of individual bills, as follows:

H. R. 1038, by Mr. Hillings
 H. R. 1087, by Mr. Kearney
 H. R. 1187, by Mr. Lipscomb
 H. R. 1226, by Mr. Mailliard
 H. R. 1230, by Mr. Mailliard
 H. R. 1264, by Mr. Morano
 H. R. 1542, by Mr. Wilson of California
 H. R. 1730, by Mr. Sieminski
 H. R. 2310, by Mr. Lipscomb
 H. R. 5122, by Mr. Cunningham
 H. R. 5322, by Mr. Scudder
 H. R. 5919, by Miss Thompson of Michigan.

A discussion of each case included in the joint resolution, with reports from the departments of the administration and such additional information as was obtained by the committee, appears below in the order that those cases appear in the resolution, as amended.

Mrs. Marie Jeanne Lapierre O'Donnell—H. R. 1038, by Mr. Hillings

The beneficiary is a 34-year-old native and citizen of Canada who is the wife of a citizen of the United States. She is ineligible for admission into the United States because of an affliction with tuberculosis, for which she has been treated at the Olive View Sanitarium in California. She was discharged as an arrested case but is continuing to receive outpatient treatment. The beneficiary is the mother of three United States citizen children.

The pertinent facts in this case are contained in a letter dated April 25, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary.

That letter, and accompanying memorandum, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
 IMMIGRATION AND NATURALIZATION SERVICE,
 Washington, D. C., April 25, 1955.

HON. EMANUEL CELLER,
 Chairman, Committee on the Judiciary,
 House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1038) for the relief of Marie Jeanne Lapierre O'Donnell, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee provided a suitable bond, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARIE JEANNE LAPIERRE O'DONNELL, BENEFICIARY OF H. R. 1038

The alien, Marie Jeanne Lapierre O'Donnell, is a native and citizen of Canada, born on November 21, 1921. She entered the United States at Rouses Point, N. Y., on August 10, 1949, as a visitor until February 9, 1950, conditioned upon deposit of a \$500 bond. On February 3, 1954, deportation proceedings were instituted against the beneficiary. Following her hearing, she was found to be deportable for the reason that at the time of entry she was an immigrant who was not in possession of a proper document for permanent residence. Her last foreign residence was Granby, Quebec, Canada.

The beneficiary lived in Granby and Montreal, Quebec, Canada, until she was 28 years of age. She received a primary and secondary education in Canada and was employed as a waitress for approximately 5 years prior to entry into the United States. On July 30, 1949, at Granby, Quebec, Canada, the beneficiary was married to Thomas O'Donnell, a native citizen of the United States. The couple have since lived in the Los Angeles, Calif., area and now have three children, all of whom were born in the United States and are citizens of this country. The beneficiary is dependent for support upon the earnings of her husband. He has been employed as a postal clerk since 1946 and his present salary is \$4,170 per year. The joint assets of the couple are approximately \$14,000, which includes clear title to their own residence, furniture, and personal effects.

The beneficiary testified that she was hospitalized in Canada for a tubercular condition and that after her entry into the United States, that condition became active. During the period from February 1951 to July 1952 she was confined at Olive View Sanitarium, San Fernando, Calif., which is a Los Angeles County clinic for the treatment of contagious tuberculosis. She was discharged as an arrested case but is continuing to receive outpatient treatment. Her present treatment consists of a 6-month course of pneumoperitoneum (diaphragm inflation). This series will be completed about June 1955, at which time tests will be made to determine whether further treatment is necessary. The expenses incurred by her medical treatment was partially covered by prepaid health insurance and the balance by the Los Angeles County Bureau of Public Assistance. A debt of approximately \$2,500 to the county of Los Angeles, Calif., has been reduced to \$300. Payments are scheduled at \$20 per month.

The husband of the beneficiary served honorably in the United States Armed Forces during World War II. Two of their children, ages 4 years and 4 months, reside with the beneficiary and her husband. One child, age 3, is mentally retarded and is in an institution for mentally retarded children at Pacific Colony, Puente, Calif. That institution is supported by the State of California. The beneficiary and her husband contribute \$20 per month toward the maintenance of that child.

Mr. Hillings, the author of H. R. 1038, submitted the following letters in support of his measure:

EL MONTE, *January, 30, 1953.*

HON. PAT HILLINGS,
Washington, D. C.

DEAR CONGRESSMAN HILLINGS: My name is Thomas E. O'Donnell, a veteran of World War II with 41 months' service.

I am an employee of the United States post office in El Monte since February 1, 1949, and am a homeowner.

I married my wife, Marie Jeanne Lapierre O'Donnell, who is a Canadian citizen, in Granby, Quebec, Canada, on July 30, 1949. She entered United States on a visitor's permit on August 10, 1949, at Rouses Point, N. Y.

Due to a miscarriage and unable to travel she was granted an additional 6 months extension expiring in June of 1950 and has been until now granted further extensions due to illnesses, etc.

The first of our two children was born September 28, 1950. Soon afterward my wife was diagnosed as having tuberculosis and entered Olive View Sanatorium on February 20, 1951, where she stayed 17 months. There she gave birth to our second child who was born a Mongoloid and is now under the medical care of the Casa Alegre Sanitarium in Puente, Calif.

My wife was discharged from Olive View on July 1, 1952, and is presently getting pneumo treatments at the Alhambra Clinic.

I would like to know if it is possible for you to introduce in Congress a special bill granting her either a citizenship or a permanent visa. As of right now my financial resources are exhausted with the many medical bills.

Your kind attention to this matter would be greatly appreciated.

Yours truly,

THOMAS E. O'DONNELL.

P. S.—Today I saw your Washington Letter on the postal bulletin board and it stated that you would be in town on February 12. Would an appointment to discuss this case further on this date be convenient to you?

P. P. S.—I discussed the case with your secretary by phone during the Presidential campaign and he advised writing to you after the new year.

HON. PATRICK J. HILLINGS,
House of Representatives,
Washington, D. C.

DEAR SIR: I would like to request a favor of you. On February 3, 1953, you introduced a bill (H. R. 2631) to grant visa status for my wife, Marie Jeanne Lapierre O'Donnell. As no action was taken on this bill it died.

She is now subject to a deportation order on March 1, 1955, by the United States immigration authorities at 458 South Spring Street, Los Angeles, having entered the United States on August 8, 1949, on a visitor's permit from Rouses Point, N. Y. My wife, a Canadian citizen, planned to stay only 6 months in the United States, but circumstance after circumstance prevented her departure. Three children were born in the meanwhile and my wife got tuberculosis and was confined to Olive View Sanatorium in San Fernando for 20 months. She is now at home taking care of the youngest child born on November 17, 1954. All but \$375 of her bills have been paid by me, a postal clerk in the El Monte, Calif., post office and a World War II veteran.

I would be very grateful if you could introduce a bill similar to H. R. 2631 if the conditions mentioned warrant it.

Yours truly,

THOMAS E. O'DONNELL.

FEBRUARY 16, 1955.

Congressman PAT HILLINGS,
Washington, D. C.

DEAR SIR: This letter is in relation to my wife, Marie Jeanne Lapierre O'Donnell, for whom you introduced bill H. R. 1038.

As she is subject to deportation on March 1, 1955. I would like you to ask the House Judiciary Committee to request the Commissioner of Immigration to give her an additional 6 months in order to take her and her two children back to Canada in the summertime.

Thanking you for past favors I remain.

Yours truly,

THOMAS O'DONNELL.

Mrs. Maisie K. Bartholomew—H. R. 1087, by Mr. Kearney

This beneficiary is the British wife of a United States citizen serviceman. She was admitted to the United States temporarily for medical treatment for tuberculosis.

Certain pertinent facts in this case are contained in a letter dated July 30, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 9055) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 30, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to bill H. R. 9055 for the relief of Mrs. Maisie K. Bartholomew (nee Fisher), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service file relating to that beneficiary by the Mobile, Ala., office of this Service, which has custody of this file.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who are afflicted with tuberculosis in any form, and would grant the alien permanent residence if she is found to be otherwise admissible.

The bill would require that a bond be deposited to insure that the alien shall not become a public charge.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILE RE MRS. MAISIE K. BARTHOLOMEW (NEE FISHER), BENEFICIARY
OF H. R. 9055

Information concerning this case was obtained from S. Sgt. Edward Richard Bartholomew, who is stationed at Eglin Air Force Base, Fla. Sgt. Edward Richard Bartholomew was born December 3, 1919, at Cohoes, N. Y. His parents separated soon after his birth and he was reared by an aunt and uncle, Mr. and Mrs. Dell Heneman, who reside at Cohoes, N. Y. The marriage of Sergeant Bartholomew to the beneficiary of this bill is his second marriage. His first marriage was to a citizen of the United States and it terminated by divorce in Montgomery, Ala., November 20, 1951. Sergeant Bartholomew and his present wife, the beneficiary of this bill, were married in England, November 29, 1952. There has been no issue of either marriage.

According to Sergeant Bartholomew, his wife was denied an immigrant visa by the American consul at London, England, on the ground that she was suffering with tuberculosis. He has submitted a certificate from a captain in a United States Air Force Hospital, who is chief of radiology, to the effect that laboratory tests and serial X-ray film have not proved that Mrs. Bartholomew has an active lesion. Sergeant Bartholomew claimed that the scar was a spot of 4 centimeters in size and that it was discovered in connection with her application for an immigrant visa.

Mrs. Bartholomew, according to her husband, has had the equivalent of a high-school education. Her employment has been that of a typist, but she is presently unemployed and lives with her parents and brothers and sisters in London, England. She has never been to the United States. Sergeant Bartholomew claims that she has never been arrested and that she takes no interest in political activities. He stated that she was not a member of any organization.

Sergeant Bartholomew stated that he had an income of \$305 a month, which included \$137 monthly allotment to his wife. He also stated that he had sent his wife \$800 and that he had \$650 on hand or in banks. He stated that he would properly provide for his wife should she be admitted to the United States for permanent residence.

Sergeant Bartholomew is attempting to be assigned to duty in England in order to be with his wife.

Mr. Kearney, the author of H. R. 1087, submitted the following letter in support of his bill:

329TH USAF INFIRMARY,
STEWART AIR FORCE BASE,
Newburgh, N. Y., February 23, 1956.

HON. BERNARD W. KEARNEY,
Member of Congress, House of Representatives,
Washington, D. C.

HONORABLE SIR: I have just received your letter dated 21st, in which you informed me, sir, that my wife Mrs. Maisie K. Bartholomew (nee Fisher) has been included on House Joint Resolution 456, proposing that she be given permanent residence status. Thank you very much, honorable sir, for same.

You asked, honorable sir, that I advise you as to whether Mrs. Bartholomew is now being treated at the naval hospital, any other Armed Forces hospital and or per present situation. Honorable sir, Mrs. Bartholomew was discharged from St. Albans Naval Hospital, St. Albans, Long Island, N. Y., August 15, 1955. (She had a surgical resection on June 14, 1955, at that hospital; as of that date she was completely cured of tuberculosis.) She then came to this city to be given postoperative treatment and periodic checkups, both at St. Albans and this medical installation. All of her tests were negative, her last X-ray being taken here at this medical infirmary, February 15, 1956, and read by a local consultant, a Dr. C. D. Reed of this city, with the findings negative.

Sir, as we were informed we sent form 507, change of status for permanent residence to the New York City immigration office, 70 Columbus Avenue, on January 16, 1956, with her passport, visa, photos, police record here and in England, birth and marriage certificates and a \$25 fee enclosed, per instruction. We were called to the immigration office, sir, to have fingerprints and personnel investigation on 10th of February 1956, in connection with the visa being changed to that of permanent residence. On the 15th of February 1956, a Mr. Neider, an investigator of the New York office made a personal investigation to us and informed us that in view of this Joint 456 bill, that we would now have to discontinue the form 507, change of status procedure, and to await the passage of the Joint House Resolution 456.

My wife at present, honorable sir, is residing with me at 140 Lander Street, Newburgh, N. Y., with full recovery having been established several months ago, and awaiting the outcome of further instructions.

With kind respects and appreciation, honorable sir, I remain,

Humbly and respectfully yours,

EDWARD R. BARTHOLOMEW,
Staff Sergeant, AF32040238, 329th USAF Infirmary,
Stewart Air Force Base, Newburgh, N. Y.

Constancio Loyola Abracia—H. R. 1187, by Mr. Lipscomb

The beneficiary is a 31-year-old native and citizen of the Philippine Islands who had enlisted in the United States Navy in the Philippines in 1945 and was honorably discharged in the United States in 1949. He was hospitalized as a tubercular patient and is still receiving treatment.

The pertinent facts in this case are contained in a letter dated July 9, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 7634) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, read as follows:

JULY 9, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7634) for the relief of Constancio Loyola Abracia, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and

Naturalization Service files relating to the beneficiary by the Los Angeles, Calif. office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee, provided that a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. It also directs that one number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota of the Philippines.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE CONSTANCIO LOYOLA ABRACIA, BENEFICIARY OF H. R.
7634

The alien, Constancio Loyola Abracia, who is also known as Cony Abracia, is single and a native and citizen of the Philippine Islands, born on December 2, 1924. His last foreign residence was the Philippines. He last entered the United States on July 23, 1948, at Honolulu, T. H., at which time he was part of a detail of enlisted personnel of the United States Navy, traveling to the United States under naval orders. He was admitted as a nonimmigrant under waiver of documents as provided by 8 Code of Federal Regulations 175.48 (K), as a member of the Armed Forces of the United States, who was not a lawful resident of the United States and who was included in a military unit which was returning to the United States under orders. He thereafter failed to depart and on November 8, 1950, deportation proceedings were instituted against him. On May 6, 1952, after a hearing, he was ordered deported from the United States. An appeal from this decision was dismissed by the Board of Immigration Appeals on February 19, 1953. On March 10, 1953, a warrant for his deportation was issued by this Service. He is presently at liberty on his own recognizance.

The beneficiary testified that he attended school in the Philippine Islands for 7 years; and that he was a member of a guerrilla organization in the Philippines during the Japanese occupation of those islands during World War II. He was employed by the United States Navy as a laborer in the Philippines from January 15, 1944, until February 1, 1945. On February 12, 1945, he enlisted in the United States Navy and served in that branch of the Armed Forces until July 8, 1949, when he was honorably discharged at the United States naval hospital at Corona, Calif.

Mr. Abracia was hospitalized as a tubercular patient in United States naval hospitals at Guam, Territory of Hawaii, and the United States mainland from May 1948 until July 8, 1949. After his discharge from the United States Navy, the beneficiary enrolled as a student at a business college in Los Angeles, Calif., under the provisions of the GI bill of rights (Public Law 16), where he completed a course in general secretarial work, attaining a B average.

Mr. Abracia is presently employed as a restaurant worker at a wage of \$6.96 per day. He receives \$108 per month from the United States Government for a service-connected disability (tuberculosis). He is still receiving medical treatment for his tubercular condition. His only asset is a 1947 model automobile. He has no dependents. His parents, 3 brothers and 2 sisters are all natives, citizens, and residents of the Philippine Islands. He has one cousin residing in the United States.

Mr. Lipscomb, the author of H. R. 1187, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his measure.

In addition, Mr. Lipscomb submitted the following letter in support of this legislation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CELLER: I am writing with regard to my private bill, H. R. 1187, reintroduced on January 5, 1955, for the relief of Constancio Loyola Abracia, who desires permanent residence status in the United States.

Mr. Abracia, who resides at 241 North Lake Street, Los Angeles 26, Calif., was born on December 2, 1924, in Cabeton-An, Guiuan, Samar, Philippine Islands.

On February 12, 1945, he enlisted in the United States Navy in Guiuan, Samar, Philippines Islands. On April 23, 1948, while on duty with the Navy, he became ill with pulmonary tuberculosis, and hospitalized at the United States naval hospital at Guam, Mariana Islands. He was transferred to the United States hospital at Aiea Heights, Honolulu, T. H., and further transferred to the United States hospital at Corona, Calif., on October 15, 1948.

In October of 1950, Mr. Abracia, made application for the petition of naturalization, which was not granted because he did not have an alien registration card. He received his deportation notice on November 8, 1950, and his fourth stay was extended to July 13, 1954, upon receipt of a report from his physician. He was hospitalized for several years and even now has to have weekly medical treatments as a result of pulmonary tuberculosis.

Mr. Abracia is receiving a secretarial course under Public Law 346, of the 78th Congress, and previously received training under Public Law 16. He is in receipt of 50 percent disability compensation.

Although a report was obtained on the bill from the Department of Justice dated July 9, 1954, would you please request another report even though the committee rules are not determined as yet as to the necessity for a second report.

Sincerely yours,

GLENARD P. LIPSCOMB,
Member of Congress.

Federico Cano-Valera, Angela Da Silva De Valera, Jose Federico Valera and Ricardo Valera—H. R. 1226, by Mr. Mailliard

The beneficiaries of this bill are a family unit, consisting of a 38-year-old Spaniard, his Philippine-born wife, and their 2 sons, 1 of whom is a native of Spain and the other a native of the Philippines. In addition, Mr. and Mrs. Valera have two United States citizen children. The beneficiaries entered the United States as visitors in 1948 and have resided here since that time.

The pertinent facts in this case are contained in a letter dated July 15, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 8978) pending during the 83d Congress for the relief of the same persons. That letter and accompanying memorandum read as follows:

JULY 15, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8978) for the relief of Federico Cano-Valera, Angela Da Silva De Valera, Jose Federico Valera, and Ricardo Valera, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office, which has custody of those files.

The bill would grant permanent residence in the United States to the beneficiaries as of date of enactment of this act, upon payment of the required visa fees. It also provides for reducing the appropriate quotas by four numbers.

The first and third named beneficiaries are chargeable to the quota of Spain, the others are chargeable to the quota of the Philippines.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING FEDERICO CANO-VALERA, HIS WIFE, ANGELA DA SILVA DE VALERA, AND THEIR SONS, JOSE FEDERICO VALERA AND RICARDO VALERA, BENEFICIARIES OF H. R. 8978

The beneficiaries are a family group, consisting of the father-husband, Federico Cano-Valera, the mother-wife, Angela Da Silva De Valera, and their minor children, Jose and Ricardo. They all entered the United States on May 15, 1948, at New York, as visitors, and have remained here since that time. Deportation proceedings were instituted on October 11, 1949, on the grounds that they had

remained in the United States longer than permitted by law. Suspension of deportation applications were denied, and they were granted permission to depart voluntarily from the United States in lieu of being deported. They have not availed themselves of that privilege.

Federico Cano-Valera was born on February 12, 1918, in Barcelona, Spain; his wife on May 31, 1913, in Manila, Philippine Islands; their son Jose on April 18, 1946, in Barcelona, Spain; and their son Ricardo on March 24, 1948, in Manila, Philippine Islands. As a youth, Mr. Valera attended the Salacian Brothers College for Boys at Barcelona. He is the sole support of his wife and the 2 foreign-born children, as well as of 2 other children, Federico, age 4; and Juan, age 2, both of whom were born in the United States. He is employed as a stock clerk in San Francisco, Calif., at a salary of \$325 per month. He has no other income, owns no property in the United States or abroad, and has no assets.

Angela Da Silva De Valera attended the Immaculate Conception College for Girls, at Cebu City, Philippine Islands, from 1918 to 1929. She has had no other education or specialized training. She is dependent for support upon her husband and has no property here or abroad. The two minor beneficiaries are grade-school students in San Francisco.

Mr. Mailliard, the author of H. R. 1226, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his measure, submitting the following statements in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 7, 1956.

Memorandum for inclusion in committee report on H. R. 1226, for the relief of Federico Cano-Valera (Barcelona, Spain, February 12, 1918); Angela Da Silva De Valera (Manila, Philippine Islands, May 31, 1913); Jose Federico (Manila, Philippine Islands, April 18, 1946); and Ricardo (Barcelona, Spain, March 24, 1948):

They all entered the United States May 15, 1948, at New York, as visitors and have remained since that time. There appears to be no record of arrest for any member of the family.

The Valeras stated they have no real or personal property other than personal effects, clothing, and a 1946 Willys station wagon on which they were still making payments in 1954, at which time they owed \$400 on it. Mr. Valera is the sole support of the family (a stock clerk) at a salary of approximately \$325 per month. They have no assets abroad.

Repeated efforts have been made by the Valeras to adjust their status administratively, among them being application for suspension of deportation based upon hardship to their 2 citizen children, 1 of which has a serious eye affliction that is under treatment by Margaret Henry, M. D. A statement of the affliction and the treatment being given Freddy has been furnished the committee in the form of a letter dated April 26, 1954, signed by Dr. Henry.

The Valeras completed 7 years of residence in the United States on May 15, 1955, and were advised by letter on May 31, 1955, of their eligibility to apply for suspension of deportation under section 244 (a) (1). Their application was disapproved by the Board of Immigration Appeals on August 12, 1955, as not meeting the requirements of the section of law. Mention was made to the Board of the forthcoming birth of a child, Carlos Armando (born August 18, 1955). The family unit now consists of 2 adult aliens, 2 minor-child aliens, and 3 minor citizen children.

In addition to those whose names are listed below, a petition, signed by Mr. Valera's coworkers, was furnished me, which attests to the good moral character of the beneficiaries and urges adjustment of their status (see petition attached to letter from Mr. C. K. Madsen):

Mrs. A. D. Fuller, 1040 Leavenworth Street, San Francisco 9

Mr. C. K. Madsen, Eloesser-Heynemann Co., Post Office Box 669, 1161 Mission Street, San Francisco

Miss Jessie R. Fuller, 1040 Leavenworth Street, San Francisco 9

Mr. Ray U. Moore, 1 Estero Avenue, San Francisco 27

Margaret Henry, M. D., 715 Fitzhugh Building, 384 Post Street, San Francisco 8

Mrs. Louise Molino, 118 Broderick Street, San Francisco 17

Miss Johanna Mergenttal, 120 Broderick Street Apartment 4, San Francisco
 Mrs. George Muller, 843 30th Avenue, San Francisco 21
 Mr. Philip W. Otiman, 620 East Thompson Street, North Tonawanda, N. Y.
 Mrs. Peter Lourentzos, 1512 California Street, San Francisco
 Mrs. Winifred E. Reynolds, 317 Serrano Drive, San Francisco 27
 Mr. R. Stevens, 566 20th Avenue, San Francisco 21
 Mrs. A. Klinger, 45 Southwood Drive, San Francisco
 Mr. Raymond D. Haran, Union Insurance Society of Canton, Ltd., 340 Pine Street, San Francisco
 Attorney: Joseph P. Fallon, Jr., attorney at law, Fallon & Hargreaves, 550 Montgomery Street, San Francisco 11

Attached also is a copy of the attorney's motion to reopen the Valeras' cases, which was disapproved August 12, 1955.

Sincerely,

W. S. MAILLIARD,
Member of Congress.

LAW OFFICES OF FALLON & HARGREAVES

San Francisco, Calif.

Board of Immigration Appeals, Washington, D. C.

RE FEDERICO CANO-VALERA, ANGELA DA SILVA DE VALERA, JOSE FEDERICO VALERA, AND RICARDO VALERA, IN DEPORTATION PROCEEDINGS, V-143704, V-143705, T-1496867 and T-1496868

Motion to Reopen

STATEMENT OF FACT

The petitioners, Mr. Valera and his wife are 37 years and 42 years of age, and their 2 children are 9 and 6 years of age respectively. Mr. Valera and his son Ricardo are natives and citizens of Spain, while Mrs. Valera and the minor respondent Jose are natives of the Philippine Islands. The family also consists of two United States citizen children, born subsequent to the petitioners' arrival in the United States. The family arrived at the port of New York, N. Y., on May 15, 1948, at which time they were admitted as temporary visitors under the provisions of section 3 (2) of the Immigration Act of 1924. The petitioners have resided continuously in the United States since the date of their original entry.

The applications for suspension of deportation were filed prior to the enactment of the Immigration and Nationality Act of 1952. Therefore, the applications are to be considered pursuant to the Immigration and Nationality Act of 1917 rather than under the provisions of section 244 of the Immigration Act of 1952. The petitioners' applications for suspension of deportation were denied by Special Inquiry Officer John H. McGowan under date of February 16, 1953.

In giving his reasons for denial the special inquiry officer made the following statements:

"The two minor respondents cannot adjust their status to lawful residents and action would have to be taken to force their departure even though the parents were permitted to remain. Therefore, I find that the applications for suspension of deportation submitted by the adult respondents should be, and are, denied."

By order dated June 29, 1953, the Board dismissed the petitioners' appeal. A motion to reopen with a request for reconsideration was denied by the Board in March of 1954.

On May 3, 1954, the Honorable William S. Mailliard introduced a bill into the House of Representatives for the purpose of attaining relief for this family. This bill expired without action in the 83d Congress and a new bill was filed on January 5, 1955, in the 84th Congress.

On May 31, 1955, Congressman Mailliard's office advised Mr. and Mrs. Fred Valera that it had received information indicating that all members of this family were now eligible to make application for suspension of deportation based upon 7 years' residence. The letter then quoted from a letter written by the district director of immigration at San Francisco, Calif., as follows:

"In reply to your letter of the 20th instant you are informed that the files in the cases of Federico Cano-Valera, Angela Da Silva De Valera, Jose Federico Valera, and Ricardo Valera have been examined and reveal that all members of the family apparently can qualify for suspension of deportation under section 244 (a) (1) of the Immigration and Nationality Act insofar as residence requirements are concerned.

"I might point out that the hearing officer originally recommended that such discretionary relief be denied as to the adult members of the family, and found that the minor children were not eligible for such relief at that time. His recommendation was approved by the Board of Immigration Appeals which granted them the privilege of departing voluntarily from the United States with the alternative of deportation, if the aliens failed to take advantage of that privilege.

"In March 1954 the Board of Immigration Appeals denied a motion by the family for reopening of their hearings to enable them to again apply for suspension of deportation. If the family wishes to again file a motion with the Board of Immigration Appeals for reopening of their hearings to permit them to file applications for suspension of deportation, they may do so."

The office of Mr. Mailliard further advised that the Judiciary Committee will not entertain private legislation for individuals who have access to administrative remedies.

In addition to the foregoing fact that all members of this family are now eligible to apply for suspension of deportation, there is a further equity to be considered, in that, Mrs. Valera is now in her fifth pregnancy complicated by a moderately severe case of varicose veins. The birth of this child in August 1955 will make three United States citizens who will have inflicted upon them extreme hardship if their parents are deported from the United States.

Attached hereto and made a part hereof is a letter of Dr. Fernando G. Gomez attesting to the fact of Mrs. Valera's pregnancy.

The respondents are presently under an order of voluntary departure and the time for their departure has been extended to August 1, 1955.

ARGUMENT

In view of the legal change in the status of the two alien children in that they are now eligible to apply for suspension of deportation and in view of the fact that there is a third citizen child to be born to the adult respondents in August of this year, it is obvious that the deportation of this family would work an extreme and unusual hardship upon the citizen members of this family.

CONCLUSION

Counsel on behalf of petitioners respectfully submits that the warrant hearings should be reopened in order that the adult petitioners' applications for suspension of deportation under the 1917 act may be reconsidered and for the further purpose of permitting the minor respondents to file applications for suspension of deportation under section 244 (a) (1) of the Immigration and Nationality Act.

Respectfully submitted,

FALLON & HARGREAVES,
By JOSEPH P. FALLON, Jr.

Dated: July 8, 1955.

Bernardo Regino—H. R. 1230, by Mr. Mailliard

This beneficiary is an 81-year-old native and citizen of the Philippine Islands who was admitted to the United States as a visitor in February of 1953. His wife is deceased and he has 6 sons, 2 of whom are United States citizens and 1 is a lawful resident alien.

The pertinent facts in this case are contained in a letter dated May 26, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 26, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1230) for the relief of Bernardo Regino, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It would also direct that one quota number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota for the Philippine Islands.

Sincerely,

Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES CONCERNING BERNARDO REGINO, BENEFICIARY OF PRIVATE
BILL H. R. 1230, 84TH CONGRESS

Bernardo Regino was born August 20, 1874, in Villasis, Pangasinan, Philippine Islands, and is a citizen of the Philippine Islands. He resided in the place of his birth until 1951, then lived in Manila until 1953. He entered the United States at Honolulu, T. H., February 8, 1953, when he was admitted temporarily as a visitor to August 8, 1953. He received extensions effective to August 7, 1955, but failed to maintain status, and deportation proceedings were instituted against him under warrant of arrest dated April 8, 1955. A hearing was held on April 25, 1955, and the decision rendered provided for voluntary departure with an alternative order of deportation. He is presently at large on conditional parole.

The beneficiary is retired and apparently without income. He was a blacksmith and farmer in his native country and owns approximately 10 acres of land near the place of his birth.

Mr. Regino's wife is deceased and he has 6 sons, 2 of whom are United States citizens, and 1 is a legal resident alien living in San Francisco. Two sons are residing in the Philippines and another is in the United States temporarily attending school. In view of the beneficiary's relationship to 2 United States citizens he could probably qualify for preference quota status. He has a brother and a sister residing in the Philippines.

Mr. Mailliard, the author of H. R. 1230, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of this legislation. In addition, Mr. Mailliard submitted the following letters in support of his bill:

PHILIPPINE COMMERCIAL PRODUCTS,
San Francisco, Calif., February 6, 1956.

Hon. WILLIAM S. MAILLIARD,
House of Representatives,
Washington, D. C.

DEAR SIR: I heard that you have introduced a bill in Congress, H. R. 1230, in behalf of Mr. Faustino Regino's father, Mr. Bernardo Regino, so that he can stay with his son permanently in this country.

I know Mr. Bernardo Regino quite well. I think he is over 80 years old and not feeling any too well because of his age. The affections and care his son and family can give him in this country—if allowed to stay—can make, indeed, the last lap of his journey easier to bear because then there is happiness in his heart for having spent his last days with his beloved son.

Mr. Faustino Regino's hordes of friends in San Francisco are all hoping for the passage of the bill, and for your very humanitarian act for lending a hand to the venerable old man, you have their gratitude along with mine.

With best wishes, I am,

Yours very truly,

R. E. ARCELLANO.

MAY 27, 1954.

Hon. WILLIAM S. MAILLIARD,
House of Representatives,
Washington, D. C.

DEAR MR. MAILLIARD: This acknowledges receipt of your letter of May 13, 1954, and the attached correspondence which was forwarded to you by Mr. Faustino S. Regino, 4924 California Street, San Francisco, Calif., regarding his desire to have his father, Mr. Bernardo Regino, 83 years of age, who was admitted into the United States on February 8, 1953, as a visitor, remain in the United States as a lawful permanent resident.

It is noted that the visa petition which Mr. Regino submitted in behalf of his father was approved by this Service under date of November 24, 1952.

Mr. Regino was informed by the American Consul at Manila, Philippine Islands, on December 12, 1952, in connection with the visa petition which he executed in favor of his father that the current quota numbers allotted to nationals of the Philippine Islands were already exhausted, that quota numbers for the parents of American citizens were not expected to become available until July 1953, and that no definite assurance could be given in the case because of the heavy demand for preferential quota numbers under the Philippine quota.

Under the provisions of section 245 of the Immigration and Nationality Act, the status of an alien who was lawfully admitted to the United States as a bona fide nonimmigrant and who is continuing to maintain that status may be adjusted to that of an alien lawfully admitted for permanent residence as a quota immigrant. The person is required to make application for adjustment. He must establish that he is admissible to the United States for permanent residence under the act cited, that a quota immigrant visa was immediately available to him at the time of his application for adjustment, and that a quota immigrant visa is immediately available to him at the time his application is approved. An alien who shall file an application for adjustment of his status under this section of the law shall thereby terminate his nonimmigrant status.

Notwithstanding the procedure set forth above for the administrative relief available to nonimmigrants in the United States, information of record in this office reflects that the Philippine quota for the current fiscal year has been entirely allocated. As you know the matter of allocating quota numbers comes within the province of the Department of State which maintains records from the waiting lists of prospective quota immigrants prepared by the American consular officers abroad. Therefore, this office is not in a position to determine when a quota immigrant visa may be regarded as being available to Mr. Regino.

A report from the District Director of this Service at San Francisco is to the effect that Mr. Regino has been granted an extension of his temporary stay in the United States to August 7, 1954.

Sincerely,

_____, Commissioner.

Imre de Cholnoky.—H. R. 1264, by Mr. Morano

The beneficiary is a 35-year-old native of Hungary, who last entered the United States as a visitor in January of 1949. His nearest relatives in the United States are his holy brother and an uncle, with whom he is in the real-estate and construction business. Mr. de Cholnoky's father is deceased and his mother and sister reside in Budapest, Hungary.

The pertinent facts in this case are contained in a letter dated June 3, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 3, 1955.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1264) for the relief of Imre de Cholnoky, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Hartford, Conn. office of this Service which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota for the first year that such quota is available.

The beneficiary is chargeable to the quota of Hungary.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE IMRE DE CHOLNOKY, BENEFICIARY OF H. R. 1264

Imre de Cholnoky is a native and citizen of Hungary who was born on June 24, 1920 at Szatmarneneti. He has never been married and there is no one in the United States who is dependent upon him for support. His near relatives in the United States are an only brother, Thomas de Cholnoky, of New York City and an uncle, Tibor de Cholnoky of Greenwich, Conn. His father is deceased and his mother and an only sister reside at Budapest, Hungary. He lives at Grove Lane, Greenwich, Conn., and is vice president of, and a partner in Sinjon, Inc., of Greenwich, Conn. This is a real-estate development and construction company owned by the alien and his uncle. His assets consist of a \$12,000 equity in the business, \$600 in a savings account and personal effects valued at \$3,200. He realizes a weekly income of \$125 from the business. The beneficiary received his elementary education from a tutor at home in Hungary and attended the following schools abroad: Piarist Fathers School, Budapest; Royal Hungarian Pieter Pazmany University, Budapest; University of Vienna at Vienna; the University of Munich at Munich, Germany, the University of Lausanne, Switzerland, and School of Business, Budapest. He received a doctorate in political science from the University of Budapest and has a masters degree from the Graduate School of Business Administration at New York University. The alien lived in Hungary from the time of his birth until April 1944 when he left for Berlin, Germany, as an attaché of the Hungarian Ministry of Foreign Affairs. He remained at Berlin until February 1945 as a representative of the Hungarian Government when he defected during the siege of Berlin. He continued to live in occupied Berlin in various displaced persons camps in the British Zone until November of 1947 when he entered Switzerland en route to Cuba.

The beneficiary first entered the United States at New York City on November 5, 1947, en route to Cuba to take up permanent residence in that country. He was lawfully admitted as a nonimmigrant visitor for pleasure for a period of 2 months and left for Cuba in January of 1948, and claims admission for permanent residence but without the right to engage in gainful employment. He next arrived in the United States in June of 1948 as a nonimmigrant visitor for pleasure and left the United States in accordance with the terms of his admission in July of 1948. The alien last entered the United States at Miami, Fla., on January 5, 1949, by air and was lawfully admitted as a nonimmigrant visitor for business until February 19, 1949. No extension of stay was authorized by this Service. The beneficiary filed an application for adjustment of status under the Displaced Persons Act of 1948, as amended, on July 24, 1950, and it was denied on November 30, 1951.

Deportation proceedings were instituted on April 15, 1954, on the ground that after admission as a visitor for pleasure he failed to comply with the conditions of his status. In a deportation hearing on May 14, 1954, a new cause for deportation was lodged against the alien in that after admission as a visitor for business he failed to comply with the conditions of his status. The lodged charge was sustained and since the alien did not request the privilege of voluntary departure he was ordered deported. That order was appealed and on August 11, 1954, the Board of Immigration Appeals sustained the appeal and granted the beneficiary voluntary departure. He failed to avail himself of this relief and a warrant of deportation was issued on April 25, 1955. There appears to be no administrative relief available to this alien.

The beneficiary served in the Hungarian Army from the fall of 1938 until the fall of 1939. He claims that should he return to Hungary he would be subjected to persecution because of his defection and his opposition to communism. His uncle is the person primarily interested in this bill.

Private bill H. R. 5205 was introduced on May 13, 1953, in the 83d Congress and S. 1240 was introduced on February 28, 1955, in the 84th Congress in his behalf.

Mr. Morano, the author of H. R. 1264, submitted the following letters in support of his measure:

THE BORDEN CO.,
New York, N. Y., January 25, 1956.

HON. PRESCOTT S. BUSH,
United States Senate, Washington, D. C.

DEAR PRES: It is, indeed, a real and rare privilege to recommend Mr. Imre de Cholnoky for United States citizenship.

I can frankly say that in my years of association with him I know of no one who could be more deserving of this worthy recognition.

A man of sterling character and extremely well thought of in the Greenwich community, he has all the attributes of a truly patriotic and loyal American citizen. He impresses me as having considerable ability and above all stability, which is an all-important requisite to good citizenship.

In closing, Pres, may I express to you my personal appreciation and gratitude for the wonderful and rewarding thing you are doing by introducing bill S. 1240 in Mr. Imre de Cholnoky's favor.

Kindest regards.

Sincerely,

HAROLD COMFORT.

RUSSEL, BURDSALL & WARD BOLT & NUT Co.,
Port Chester, N. Y., January 27, 1956.

HON. PRESCOTT S. BUSH,
United States Senate, Washington, D. C.

DEAR PRES: It is very pleasing to learn that you have introduced bill S. 1240 concerning Mr. Imre de Cholnoky, and I consider it a privilege to write on his behalf.

I have known Mr. Cholnoky for about 4 years and he has become a very intimate friend of ours. He has been a frequent visitor at our house and I may say that no one is more welcome than he. I would say, and without fear of contradiction, his characteristics are the very finest in every single respect. He is in every way honest, sincere, and thoroughly dependable; his open and engaging personality, together with his excellent manners, fine sense of humor, and warm and kindly nature make him equally popular among older and younger people. While he came to Greenwich with little but the advantages of his education and character, he has won a distinct place in the community. He organized a construction and development company in 1950 and this has been outstandingly successful, thanks to his energy, ability, and record for service and fair dealing.

I know Mr. Cholnoky well enough to be absolutely sure of his loyalty to the United States, and I unhesitatingly recommend him for citizenship in our country. Consequently, I wish to advise that I am enthusiastically in favor of your bill, S. 1240, and beg to hope that this will be acted upon promptly and favorably.

Thanking you for your consideration, and with kindest regards, I am,

Respectfully yours,

SAM COMLY.

THE FIRST NATIONAL CITY BANK OF NEW YORK,
New York, N. Y., January 26, 1956.

HON. PRESCOTT S. BUSH,
United States Senate, Washington, D. C.

DEAR PRES: I understand you have introduced a bill, S. 1420, on behalf of Imre de Cholnoky. First, let me say to you that I think it is a very fine thing for you to undertake to do this and, second, that I know your action will be greatly appreciated by the many friends of the young man involved.

I am personally acquainted with Imre de Cholnoky, having met him in Greenwich where he now lives. My association has not been extensive, but I have been very much impressed by the contact I have had with him. He is intelligent and serious, and from my observation of him his manner and conduct have always in every way been desirable. Aside from my personal knowledge of the young man, my information from others who have had occasion to observe him closely in his own community is that he commands the respect of those with whom he associates and that he has a respectable and reputable background. I have every confidence that he will make a good and loyal citizen of this country and, therefore, I am wholly in accord with the bill which you have introduced.

With best wishes,

Sincerely yours,

ALEXANDER C. NAGLE.

J. M. MATHES, INC.,
New York, N. Y., January 26, 1956.

Hon. PRESCOTT S. BUSH,
United States Senate, Washington, D. C.

DEAR SENATOR: I cannot tell you how pleased I am to know that you have introduced a bill in the Senate for the purpose of extending citizenship to Mr. Imre de Cholnoky.

My wife and I have known Mr. Cholnoky intimately for more than a year, and we are happy that he is engaged to be married to a dear and long-time friend of ours. As a matter of fact, if I had a single daughter left, I would look on him favorably as a potential son-in-law.

As you know, I have been in business for many years and have, perhaps, achieved some aptitude in judging people as to character, integrity, and general soundness.

I consider Mr. Cholnoky to be a man of fine character, an intelligent and honorable businessman, a person of high ethical standards and impeccable conduct, and a zealous believer in and supporter of the principles on which our Government was founded and under which we live.

If it were possible to take a poll of all those who know him I am confident that my views would not be at variance with the consensus.

In short, I unreservedly endorse bill S. 1240 and applaud you for having introduced it.

With kindest regards.

Sincerely yours,

Abdul Haleem—H. R. 1542, by Mr. Wilson of California

The beneficiary is a 61-year-old native and citizen of India who was first admitted to the United States as a seaman in 1926. His last entry into the United States was at San Ysidro, Calif., when he surreptitiously returned to this country after a visit of a few hours to Mexico.

The pertinent facts in this case are contained in a letter, dated November 1, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 9858) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, reads as follows:

NOVEMBER 1, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9858) for the relief of Abdul Haleem, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service file relating to the beneficiary by the San Diego, Calif., office of this Service, which has custody of the file.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota. The last available information indicates that the quota of India, to which the beneficiary is chargeable, is not oversubscribed. Accordingly, it appears that he may be able to obtain a quota immigration visa.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILE RE ABDUL HALEEM BENEFICIARY OF H. R. 9858

The beneficiary, who is unmarried, was born on January 2, 1895, in Bombay, India. He is a citizen of India and last entered the United States surreptitiously at San Ysidro, Calif., on February 13, 1954. He alleges to have first arrived in the United States in 1926 as a member of the crew of the S. S. *Treline*, that he was granted shore leave but deserted his ship and remained in the United States. He alleges he has no relatives or dependents in the United States.

Deportation proceedings were instituted on February 16, 1954, on the basis of his surreptitious entry at San Ysidro, Calif., on February 13, 1954. He was granted voluntary departure but failed to avail himself of that privilege. A warrant of deportation is outstanding in his case, and he is at liberty under a \$500 delivery bond.

The record reflects Mr. Haleem was employed by the Pontiac Motor Co. at Pontiac, Mich., from May 17, 1927, to March 24, 1949, he then leaving his employment because he was dissatisfied. Employment records maintained by the Pontiac Motor Co. reflect he had left his employment approximately six times previously. The record reflects he was a "Welfare boarder" at Camp Alpena, Alpena, Mich., from October 1949 to April 1951 at an expense of \$696.81 to the Oakland County Welfare Bureau at Detroit, Mich. The Department of Public Welfare for San Diego County reports he was given emergency aid to the extent of \$6.60 on July 19, 1951.

He was employed by the San Diego Club at San Diego, Calif., from July 15, 1951, to April 30, 1954, and has been unemployed since then with no visible means of support. He alleged he is living on savings from previous employment and places his worth at a "few dollars." He alleges he is free from debt and no evidence is had to the contrary.

Mr. Wilson of California, the author of H. R. 1542, appeared before a subcommittee of the Committee on the Judiciary and testified as follows:

RE H. R. 1542, ABDUL HALEEM

The alien was born on January 2, 1895, in Bombay, India. He first arrived in the United States in 1926 as a member of the crew of the S. S. *Treline*; he jumped ship and has been in the United States continuously since that time with the exception of approximately 3 hours on February 13, 1954, when he went to Tijuana, Baja, Calif., and it is because he returned to the United States on that date without proper entry that there has been issued a warrant of deportation.

From May 17, 1927, to March 24, 1949, he was employed by the Pontiac Motor Co., at Pontiac, Mich.

Mr. Haleem has no children or relatives, to his knowledge.

Mr. Haleem first registered as an alien on September 16, 1940, and has registered annually since that date. In 1942, he registered with selective service, however, he has, because of his age, never been called to duty in the armed services.

This man has been a resident of the United States for almost 30 years. He has complied with alien registration laws and Selective Service System laws. To the best of my knowledge, he has no police record.

It would seem to me that one who has lived in this country this long, abided by the laws, and who certainly during World War II made substantial contributions to industry and to the war efforts should be granted the privilege of living out his remaining years in this country. Favorable consideration on this measure is therefore respectfully requested.

Mr. Wilson also submitted the following statements in support of his bill:

AFFIDAVIT IN THE CASE OF ABUL HALEEM

STATE OF CALIFORNIA,
County of San Diego, ss:

Now comes Abul Haleem, who being first duly sworn, deposes and says:

That I am 60 years of age, reside at Victory Hotel, 621 Market, in the city of San Diego, county of San Diego, State of California, and that I am the claimant.

Further, that I arrived in New York City, N. Y., in 1926, aboard a British steamer flying a British flag. The ship's name was *Freeland*. I have never been married, never been arrested for felony. I did register for draft in 1940 at Pontiac, Mich. My address was No. 57 Pike Street, Pontiac, Mich., serial No. 2221033. I was employed at General Motors in Pontiac, Mich., for 18 years. I applied for my citizenship at Pontiac, Mich., in 1940. I have never been a citizen in any other country but India.

ABDUL HALEEM.

Subscribed and sworn to before me this 15th day of June 1954.

[SEAL]

M. SAMBY, Notary Public.

My commission expires November 12, 1954.

COMMUNISM AFFIDAVIT TO BE USED IN CONJUNCTION WITH INTRODUCTION OF
PRIVATE BILL

I, Abul Haleem, first duly sworn do dispose and say as follows, that I am not now nor have I ever been a member of the Communist Party or of any of its affiliated organizations.

ABUL HALEEM.

Subscribed and sworn to before me this 15th June 1954.

[SEAL]

_____, Notary Public.

My commission expires November 12, 1954.

Magdalena F. Bristol—H. R. 2310, by Mr. Lipscomb

The beneficiary is a 30-year-old native and citizen of the Philippine Islands who was admitted to the United States as a student in 1946 and who has been adopted by her United States citizen uncle, with whom she resides. Her mother, two sisters, and a brother reside in the Philippines, and her father is deceased.

Certain pertinent facts in this case are contained in a letter, dated April 18, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 18, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 2310) for the relief of Magdalena F. Bristol, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of the Philippine Islands.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE MAGDALENA F. BRISTOL, BENEFICIARY OF H. R. 2310

The beneficiary, Magdalena F. Bristol, who is single, a native and citizen of the Philippine Islands, was born in Manila, Philippine Islands, on November 16, 1925. She presently resides at 1201 Leighton Avenue, Los Angeles, Calif., and is employed as a bookkeeper by Charles Meriam Co., Los Angeles, Calif. The beneficiary obtained a bachelor of arts degree in English at the University of California at Los Angeles.

The beneficiary has no one dependent upon her for support and is supported by her earnings which amount to \$62.50 per week. She has savings in amount of \$1,400.

The beneficiary's only close relative in the United States is her adoptive father, Frank Bristol, with whom she resides. Her mother, two sisters, and a brother reside in the Philippine Islands. Her father is deceased.

The beneficiary's only entry into the United States occurred at San Francisco, Calif. on September 19, 1946, at which time she was admitted as a nonimmigrant student. She was granted several extensions of stay, the last of which expired on October 1, 1952. Extension of stay beyond that date was not granted in view of private legislation introduced in her behalf in the 82d Congress and again in the 83d Congress.

On March 28, 1955, the beneficiary was placed under deportation proceedings on the charge that after admission to the United States as a student, she failed

to comply with the conditions of such status. Hearing in deportation proceedings has not been accorded her as yet.

A memorandum of information submitted by the Commissioner of Immigration and Naturalization regarding a bill (H. R. 1166) pending during the 83d Congress for the relief of the same person, reads as follows:

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE MAGDALENA F. BRISTOL, BENEFICIARY OF H. R. 1166

Miss Magdalena F. Bristol is a native and citizen of the Philippine Islands who was born on November 16, 1925. Her only arrival in the United States occurred at San Francisco, Calif., on September 19, 1946, when she was admitted as a non-quota immigrant student until May 13, 1948. She has been granted several extensions of stay, the last of which expired on October 1, 1952.

Immediately after her arrival in the United States, Miss Bristol attended Los Angeles City College, Los Angeles State College, and the University of California, at Los Angeles. She obtained a bachelor of arts degree in English from UCLA, where she is presently studying as a graduate student to obtain a degree of master of arts in education. She expects to graduate from that university by the fall of 1953.

Since her arrival in this country Miss Bristol has been residing with and has been supported by her paternal uncle, Frank Bristol, a native of the Philippine Islands and a citizen of the United States by naturalization in Iceland on April 3, 1943, while a member of the United States Armed Forces stationed in that country. Miss Bristol was legally adopted by Frank Bristol in the Superior Court of Los Angeles County, Los Angeles, Calif., on October 26, 1951.

Miss Bristol has several cousins residing in this country. Her parents, a married brother, and two married sisters reside in the Philippine Islands and are natives and citizens thereof. She stated that her home life in the Philippine Islands was extremely unhappy due to her mother's remarriage. She stated further that her real parents were pleased when she was adopted by Frank Bristol on October 26, 1951.

Mr. Lipscomb, the author of H. R. 2310, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of this legislation. In addition, Mr. Lipscomb submitted the following letter in support of his measure:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1955.

HON. EMANUEL CELLER,
Chairman, House Committee on the Judiciary,
Washington, D. C.

DEAR MR. CHAIRMAN: I am writing concerning H. R. 2310, which I introduced on January 13, 1955, for the relief of Miss Magdalena F. Bristol. This bill was originally introduced by my predecessor, Norris Poulson, on February 4, 1952, and reintroduced by him on January 6, 1953.

Miss Bristol is a native and citizen of the Philippine Islands who was born on November 16, 1925. Her only arrival in the United States occurred at San Francisco, Calif., on September 19, 1946, when she was admitted as a nonquota immigrant student until May 13, 1948.

Since her arrival in this country, Miss Bristol has been residing with and has been supported by her paternal uncle, Frank Bristol, a native of the Philippine Islands and a citizen of the United States by naturalization in Iceland on April 3, 1943, while a member of the United States Armed Forces stationed in that country. Miss Bristol was legally adopted by Frank Bristol on October 26, 1951.

Miss Bristol has several cousins residing in this country. Her parents, brother, and sisters reside in the Philippine Islands. Miss Bristol has stated that her home life in the Philippine Islands was extremely unhappy due to her mother's remarriage. Her parents were pleased when she was adopted by Frank Bristol. Miss Bristol is attending the University of Southern California at the present time and is working toward her doctor's degree in English. Her adopted father, Mr. Bristol, owns his own home and has been employed by the Pacific Telephone & Telegraph Co. for the past 9 or 10 years.

Although a report was obtained on the bill from the Department of Justice dated November 3, 1953, would you please request another report, even though the committee rules are not determined as yet as to the necessity for a second report.

In view of the fact that this private bill has been pending for almost 3 years without a hearing, I would appreciate your consideration for early action.

Sincerely,

GLENARD P. LIPSCOMB,
Member of Congress.

Sister Jewel Bernadette—H. R. 5322, by Mr. Scudder

The beneficiary is a 39-year-old native and citizen of Australia who is a Roman Catholic nun. She was admitted to the United States in 1953 as a visitor, and is a student of hospital administration at the Sisters of St. Joseph Hospital in Napa, Calif.

The pertinent facts in this case are contained in a letter dated May 23, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 23, 1955.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 5322) for the relief of Sister Jules M. Bernadette, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif. office of this Service, which has custody of those files.

It will be noted that the beneficiary's correct baptismal name is Jewel Irene McKeown. The name given her by the church of her faith is Sister Jewel Bernadette.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Australia.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES CONCERNING JEWEL IRENE MCKEOWN, BENEFICIARY OF
PRIVATE BILL H. R. 5322

Jewel Irene McKeown (known as Sister Jewel Bernadette in her religious affiliation with the Sisters of St. Joseph) was born on September 9, 1916, in Sydney, Australia, and is a national of that country. She was admitted to the United States at Honolulu, T. H., January 19, 1953, as a visitor for 3 months. She received an extension of stay and on December 10, 1953, she was granted a change of status to that of an industrial trainee, effective to September 16, 1954. Upon her failure to maintain that status she was made the subject of deportation proceedings under warrant of arrest dated April 22, 1955. Hearing thereon is scheduled for May 4, 1955.

Miss McKeown resided in her native country and attended school there, receiving a high-school education. She is presently residing in Napa, Calif. where she is a student of hospital administration at the Sisters of St. Joseph Hospital. She has no income and receives her support from the institution mentioned, having dedicated her life to service in hospitals of the church of her faith. Apparently she has had no employment or income. She is single and has no relatives or family ties in the United States. Her parents and a brother reside in the place of her birth.

The interested party in this case is Reverend Mother Frances Lirette, Superior General of the Sisters of St. Joseph Hospital, Napa, Calif. The reverend mother has been with the hospital approximately 48 years and both she and the beneficiary have a good reputation in the community.

Mr. Scudder, the author of H. R. 5322, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of this legislation. Mr. Scudder, also submitted the following statements in support of his bill:

AFFIDAVIT

STATE OF CALIFORNIA,
County of Napa, ss:

Jewel Irene McKeown (known in religion as Sister M. Bernadette, C. S. J.), being first duly sworn, deposes and says:

That your affiant was born on September 9, 1916, in Sydney, New South Wales, Australia; that she was a resident of Sydney, Australia, from the date of birth to and including the time that she departed for the United States of America, and arrived at the port of entry in Honolulu, T. H. on January 19, 1953; that she was educated in the public schools of Sydney and entered Dominican College in Adelaide, South Australia, in 1930 and thereafter continued her education; that she entered the religious order of the Sisters of St. Joseph on December 24, 1947, where she continued her education in said order; that her nearest relatives are her mother and father, Thomas and Elsie McKeown who reside in Mollydale, Tyringham, New South Wales, Australia; that she has four brothers, viz Thomas McKeown, Jr., Allen, Arnold, and Bernard McKeown, all residents of New South Wales, Australia.

That your affiant entered the port of entry of the United States at Honolulu, T. H., as aforesaid on January 19, 1953, and thereafter came to the mainland of the United States at San Francisco, Calif., on January 20, 1953; that following her arrival in San Francisco, Calif., your affiant traveled with Reverend Mother Francis, Superior General of Sisters of St. Joseph; that on May 1, 1953, the said Sisters of St. Joseph took over the operation of the community hospital known as Parks Victory Memorial Hospital in Napa, Calif.; that continuously since the first day of May 1953, your affiant has been the private secretary of the said Reverend Mother Francis, Superior General of the Sisters of St. Joseph, and has been studying hospital administration under the guidance of the said Reverend Mother Francis at said hospital in Napa, Calif.

That at the time of entry into the United States your affiant's immigration status was that of visitor; that on the 10th day of December 1953, the status of your affiant was changed to that of industrial trainee and that status was effective to September 16, 1954; that thereafter said status of industrial trainee was extended for an additional period of 12 months to September 15, 1955.

JEWEL IRENE MCKEOWN,
(Known in religion as Sister M. Bernadette, C. S. J.).

STATE OF CALIFORNIA,
County of Napa, ss:

On this 3d day of April 1955, before me, the undersigned notary public in and for said county and State personally appeared Jewel Irene McKeown (known in religion as Sister M. Bernadette, C. S. J.) known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

THOMAS KONGSGAARD, Notary Public.

My commission expires June 28, 1958.

ROSARY VILLA,
Napa, Calif., April 3, 1955.

To Whom It May Concern:

I have known Jewel Irene McKeown, known in religion as Sister M. Bernadette, since May 12, 1947. Since she has entered the Congregation of the Sisters of St. Joseph, I have come to know her very well. It was at my request that she left Australia and came to the United States with me as my private secretary. As she has shown such a marked aptitude for hospital work, I have been training her for hospital administration since May of 1953.

Since that time I have observed that she has been able to assume responsibility, understand patients, doctors, and the general public. I feel that she has all the qualifications inherent in becoming a first-rate citizen of the United States.

I unhesitatingly recommend her for citizenship in the United States. I know that she will not only be very happy at the privilege of citizenship, but that she will also assume her responsibility and obligations of citizenship.

Rev. Mother M. FRANCIS C. S. J.
Superior General.

RIGGINS, ROSSI, KING & KONGSGAARD,
Napa, Calif., April 3, 1955.

To Whom It May Concern:

It has come to my attention that Jewel Irene McKeown, (known in religion as Sister M. Bernadette, C. S. J.) has made application to become a citizen of the United States of America.

I have known the applicant, Sister M. Bernadette since May 1, 1953, at which time the Sisters of St. Joseph took over operation of Parks Victory Memorial Hospital in Napa, Calif. At that time my associate and myself were acting as counsel for the Parks Victory Memorial Hospital, and since that time I have been the counsel for the hospital and the Sisters of St. Joseph in Napa, Calif.

In my duties as counsel for said hospital and Sisters of St. Joseph, I have had occasion to have business contacts with Sister M. Bernadette almost every week, and on many occasions several times a week. These contacts have taken place in my office, at the hospital, and at the convent where the Sister resides. I feel that I have had ample opportunity to observe the character and the personality of Sister Bernadette.

I have found her to be a person of the highest moral integrity, and possessed with an unusual kindness toward the patients in the hospital, her fellow workers, and the general public.

I would without qualification recommend Sister M. Bernadette for citizenship in the United States.

THOMAS KONGSGAARD.

THE CALL BULLETIN,
San Francisco, March 24, 1955.

Congressman HUBERT B. SCUDDER,
House Office Building, Washington, D. C.

MY DEAR HUBERT: I am writing this letter in behalf of Sister Bernadette, a Catholic nun, who is desirous of becoming a resident and citizen of this country.

Sister Bernadette is a member of the Order of St. Joseph, an order which builds and operates hospitals. She is at present secretary to the Reverend Mother Francis, head of the order in the State, who conducts a hospital in Napa and who is arranging to build other hospitals.

I am enclosing a copy of a letter which Sister Bernadette sent to me.

I would deeply appreciate anything you may do to facilitate Sister Bernadette's entry into this country. I can assure you she is a fine person and well worthy of being a resident and citizen of the United States.

I am sending a letter to Senator Kuchel with the thought that perhaps a joint bill permitting her entry could be introduced in both houses.

Thanking you in advance, I am

Sincerely,

(Signed) Cobbie
(Typed) E. D. COBLENTZ.

P. S.—I would be happy to hear from you in regard to this matter. In case you want to contact Sister Bernadette, her address is Rosary Villa, 1975 Main Street, Napa, Calif. I understand from Mother Francis that you have visited the hospital in Napa.

Kan-Nien Chen, Li-Haw Y. Chen, and Nancy Chen—H. R. 5919, by Miss Thompson of Michigan

The beneficiaries are a 36-year-old native and citizen of China, his Chinese wife, and their daughter. The senior beneficiary was last admitted to the United States in January of 1948 as a student and his status was later changed to that of a treaty trader and his wife and daughter were subsequently admitted to the United States in 1952 as the wife and daughter of a treaty trader. In addition to the

child who is one of the beneficiaries of this bill, Mr. and Mrs. Chen have another child who is a native-born citizen of the United States.

The pertinent facts in this case are contained in a letter, dated July 12, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 2, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 5919) for the relief of Kan-Nien Chen, Lihwa Y. Chen, and Nancy Chen, there is attached a memorandum of information concerning the beneficiaries. The memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the New York, N. Y., office of this Service, which has custody of those files. According to the records of this Service, the correct name of the female adult beneficiary is Li Hwa Yen Chen.

The bill would grant the beneficiaries the status of permanent residents of the United States upon payment of the required visa fees. It would also direct that three numbers be deducted from the appropriate quota.

The beneficiaries are chargeable to the quota for the Chinese.

Sincerely,

J. W. SWING, *Commissioner*.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE KAN-NIEN CHEN, LIHWA Y. CHEN, AND NANCY CHEN, BENEFICIARIES OF H. R. 5919

Kan-Nien Chen, also known as Kelly Chen, and Lihwa Y. Chen whose correct name is Li-Hwa Yen Chen, also known as Lily Chen, are husband and wife, and Nancy Chen is their daughter. They are natives and citizens of China, having been born on September 16, 1919, May 11, 1922, and August 17, 1947, respectively. The adult beneficiaries were married in 1946 in Shanghai, China. They also have a son, Nelson Chen, a native-born American citizen. The beneficiaries reside in Freeport, Long Island, N. Y., where the child Nancy attends elementary school. Mr. Chen is a civil engineer and is self-employed under the trade name of Kelly Associates, 30 Church Street, New York, N. Y. His income is approximately \$10,000 per year. Mrs. Chen is a housewife, but she also assists her husband in his work, at home, as she is also a graduate civil engineer. Their net worth it approximately \$25,000.

The male beneficiary's father and sister, from whom he last heard in June 1950, were then living in Shanghai, China. One brother was imprisoned by the Chinese Communists, and another brother is living in Hong Kong. The female beneficiary has no living relatives.

The beneficiaries, prior to coming to the United States had resided in China, except for the period from May 1950 to November 1952 when Mrs. Chen and Nancy Chen were living in Hong Kong. Mr. Chen has been a member of the Kuomintang or Nationalist Party of China since 1942. They were employed in China in the pursuit of their profession. The male beneficiary served as liaison interpreter for the Chinese Nationalist Army with the American forces in China in 1944. He was a captain in the Chinese Nationalist Army on active duty in 1944, and in the active reserves until August 1945.

Mr. Chen last arrived in the United States on January 30, 1948, at San Francisco, Calif. as a student. He was granted a change of status to treaty trader on June 15, 1949. Mrs. Chen and their daughter Nancy were admitted to the United States on November 17, 1952, at San Francisco, Calif., as the wife and daughter of a treaty trader. Mr. Chen filed an application for adjustment of his immigration status under section 4 of the Displaced Persons Act of 1948, as amended, which was denied on May 12, 1955, for the reason that he had not established that he had been a person of good moral character for the past 5 years.

On May 24, 1955, deportation proceedings were instituted against the beneficiaries. In Mr. Chen's case on the ground that, after admission as a student and subsequent change of status to treaty trader, he failed to comply with the

conditions of such status, and in the cases of Mrs. Chen and Nancy Chen on the ground that, after admission as the wife and child of a treaty trader, they failed to comply with the conditions of their status. No final determination of deportability has as yet been made.

Mr. Chen admitted that he had received financial assistance under the Economic Cooperation Administration program of emergency aid to Chinese students from about September 1949 to June 1951 while he was in the status of a treaty trader. He explained that he did not know that he was not entitled to such aid even though he was attending school during that period. Mr. Chen made full restitution of all aid received on August 20, 1952, after being advised that, unless he did so, he would not receive credit for any of his college work. This was the basis for the denial of the subject's application as a displaced person.

Miss Thompson of Michigan, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of her bill. In addition, Miss Thompson submitted the following letters and statements in support of this legislation:

INTERNATIONAL CHRISTIAN LEADERSHIP, INC.,
Washington, D. C., June 27, 1955.

To Whom It May Concern:

It has been my pleasure to be associated with Mr. Kelly Chen since 1952 in the work of International Christian Leadership and in meetings with him in New York from time to time.

I regard him as an outstanding individual with character and ability who will make an exceedingly fine citizen of the United States.

Very sincerely yours,

FRANK B. FUHR, *Assistant Executive Director.*

STATEMENT OF KAN-NIEN CHEN WITH RESPECT TO H. R. 5919, FOR THE RELIEF OF KAN-NIEN CHEN, LIHWA Y. CHEN, AND NANCY CHEN

I was born at Youngchow, Kiangsu, China, on September 16, 1919.

I remained at the place of my birth until I was 16 years of age at which time I went to Shanghai for the purpose of attending senior high school. Upon my graduation from high school in 1938 I began my studies at National North-Western Engineering College at Chengku, Shenghsi, China, where I attended until 1942 when I was graduated with the degree of bachelor of civil engineering.

Upon my graduation I was employed as an engineer by the National Highway Bureau, an agency of the Chinese Nationalist Government at Chungking, China, until about October of 1945, a period of over 3 years. During this period I also served for a time with the Chinese Nationalist Army with the rank of captain assigned to act as an interpreter between the Chinese and United States Armies. Thereafter I went to Shanghai where for a period of approximately 2½ years I was employed with the public works department of the city of Shanghai in the capacity of sectional chief engineer.

On July 3, 1946 at Shanghai, China, I was married to Lihwa Y. Chen. Two children have been born to us, a daughter, Ching-Ching Chen, whom we also call Nancy, born at Shanghai, China, on August 17, 1947 and a son, Nelson, who was born on August 22, 1954 at Freeport, N. Y.

On January 30, 1948, I arrived in the United States at San Francisco, Calif., on the steamship *Marine Swallow* as a student. My purpose in coming to the United States was to pursue postgraduate courses in engineering which were not available to me in China. Thereafter I attended at the graduate school of New York University and was awarded the degree of master of civil engineering.

I am presently self-employed as a civil engineer engaged in the designing and detailing of buildings and public highways. The buildings on which I have worked consist principally of public schools in New York City. The highways include the New Jersey Turnpike and the Massachusetts Turnpike on both of which I am presently engaged.

For a while I was the beneficiary of ECA funds. However, as soon as I discovered that I was not eligible for such funds I made complete and voluntary restitution of the sums I had received.

My wife and my daughter were admitted to the United States on November 17, 1952, at San Francisco, Calif., as the wife and daughter of a treaty trader. Prior

to their admission my immigration status had been changed from student to treaty trader.

I am now and have consistently been absolutely and completely opposed to communism. My opposition to communism has been reflected first, in my service as an officer of the Chinese Nationalist Army; second, by my membership since 1942 in Kuomintang, the Chinese Nationalist Party; and, finally, by my membership in the International Council for Christian Leadership with headquarters at Washington, D. C. I have been a member of this organization since 1952 and am now serving as a member of the executive committee of the New York City committee.

My family has suffered persecution at the hands of the Communists who not only have confiscated all our property but have also imprisoned one of my brothers. Another brother who had served as treasurer of the Kuomintang in the Chinese Nationalist Party was forced to flee to Hong Kong.

It is my profound and earnest desire that my wife, my daughter, and myself be given the opportunity of making the United States the country of our permanent residence so that we ultimately may qualify for the blessings of American citizenship which my infant son already enjoys by reason of his birth in the United States.

WASHINGTON, D. C., April 26, 1955.

MISS RUTH THOMPSON,
Member of Congress, House Office Building,
Washington, D. C.

DEAR RUTH: This will introduce Kelly Chen, an engineer from New York City and a good friend of mine for many years whom I have sought to help spiritually and lead into the richness of the Christian life.

It is important that he become a United States citizen because I believe he is the type of fellow who will make a good citizen and who deserves our help. "Whatsoever you have done to one of the least of these," said Jesus, "you have done it unto Me."

Will it be possible for you to assist him by getting a bill through the Congress?
Gratefully yours,

ABRAHAM VEREIDE.

INTERNATIONAL COUNCIL FOR CHRISTIAN LEADERSHIP,
Washington, D. C., June 22, 1955.

MR. SAMUEL PAIGE,
Paige & Paige,
New York 7, N. Y.

MY DEAR MR. PAIGE: I have known Kelly Chen for about 4 years as an industrious, intelligent, and sincere man.

Mr. Chen has been active in the International Council for Christian Leadership and attends various conferences and luncheon meetings in New York. He is the leader of one of our groups among the Chinese of New York City.

I regard Mr. Chen as an asset to our Nation and recommend him for citizenship.
Very sincerely yours,

ABRAHAM VEREIDE, Secretary General.

Maurice Ghnassia—H. R. 1730, by Mr. Sieminski

The beneficiary is a 35-year-old native and citizen of France who is the husband of a citizen of the United States and the father of a United States citizen child. He was refused a visa to enter the United States for permanent residence because of a conviction for a crime involving moral turpitude. He has been admitted to the United States temporarily and resides in New Jersey with his wife and daughter.

Certain pertinent facts in this case are contained in a letter dated June 19, 1953, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 939) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, reads as follows:

JUNE 19, 1953.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 939) for the relief of Maurice Ghnassia, there is annexed a memorandum of information from the Immigration and Naturalization Service files concerning the beneficiary.

The bill would exempt the alien from the provisions of the moral turpitude clause in section 3 of the Immigration Act of February 5, 1917, which excluded from admission to the United States aliens who were convicted of crimes involving moral turpitude. The Immigration Act of February 5, 1917, was repealed by section 403 (a) (13) of the Immigration and Nationality Act.

The bill would conform to the law now in effect and the policy followed by the Congress in similar cases, if it were amended by striking out all after the enacting clause and substituting the following: "That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Maurice Ghnassia may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act."

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
 SERVICE FILES RE MAURICE GHNASSIA, BENEFICIARY OF H. R. 939

Information was received from the Department of State that Maurice Ghnassia, who was born on July 23, 1920, in Paris, France, applied for an immigration visa at the American Embassy in Paris during October 1950. He was refused a visa on the ground that he had been convicted of theft on July 11, 1946. No further details concerning the circumstances of the case were furnished.

Information concerning the beneficiary of the bill was also furnished by his father-in-law, Dr. Frank Facciola, who resides at 562 Boulevard Avenue, Bayonne, N. J.

Dr. Facciola stated that his daughter, Luisa, married Mr. Ghnassia in Paris, France, on January 19, 1951. A daughter, Barbara, was born of this marriage on July 9, 1952. They are residing in Paris, awaiting the issuance of the proper documents to enable Mr. Ghnassia to enter the United States. He is a fiction writer under contract with a French publishing firm.

Dr. Facciola, a naturalized citizen of the United States, stated that he was sponsoring his son-in-law and would guarantee that the latter will not become a public charge. Dr. Facciola has assets in excess of \$70,000 and a yearly income of more than \$11,000. He testified that he has four children, native-born citizens of the United States, all of whom are of age and self-supporting.

Mr. Sieminski, the author of H. R. 1730, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his measure. Mr. Sieminski also submitted the following letters and statement in support of this legislation:

HOUSE OF REPRESENTATIVES,
 Washington, D. C., March 9, 1956.

HON. EMANUEL CELLER,
Chairman, Judiciary Committee,
House Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: I am the author of H. R. 1730 for the relief of Maurice Ghnassia. Mr. Ghnassia is married to Louisa Facciolo, who was born on November 29, 1926 in Bayonne, N. J. The Ghnassias have a little daughter, Barbara, of their marriage, that was born in Paris, France, on July 10, 1952.

H. R. 1730, as amended, would grant permanent residence to Mr. Ghnassia.

Mr. Ghnassia entered the United States with his wife and daughter. They are presently living with Dr. and Mrs. Facciolo (Mr. Ghnassia's mother-in-law and father-in-law), at 562 Boulevard, Bayonne, N. J.

Mr. Ghnassia left his family in Paris when he was 24 years old to join the French resistance movement, taking with him some jewelry and money, the whole

amounting to between \$700 and \$800. Mr. Ghnassia was then traveling on a train that was stopped at Annecy in France. He was stripped of all his possessions by French collaborationists, one of whom was a Robert Hipolyte. Hipolyte was apprehended a short time later by the resistance movement, and before he was executed he admitted that the personal property that he had taken from Mr. Ghnassia was at his home.

At the first opportunity, Mr. Ghnassia visited Hipolyte's widow and asked for his property which had been taken from him by the deceased Hipolyte. Hipolyte's widow gave Mr. Ghnassia the remainder of the property consisting of \$214 in francs minus the jewelry which was gone. When Mr. Ghnassia took the property, he gave the widow and her brother his name and serial number in order that the widow might want to contact him further regarding the jewelry.

Thereafter, Mr. Ghnassia enlisted and served in the First Allied Airborne Division of the United States Army for 1 year as a paratrooper. Having returned from the French resistance movement to his home, Mr. Ghnassia was arrested on March 9, 1946, on the charges of Hipolyte's widow. The judge at the trial against Mr. Ghnassia was later apprehended and convicted as a collaborationist during the war. Mr. Ghnassia was the victim of this type of proceeding. However, he was immediately granted a full pardon and amnesty from the French Government applicable to all members of the French resistance forces.

Actually all Mr. Ghnassia did was to reclaim his own property that had been taken from him by Hipolyte, a French collaborationist. This man was terribly wronged. Since that time his life has been most orderly.

Mr. Ghnassia's conduct has been excellent since the war years. He is a high type individual. I personally have met him and have become acquainted with him.

The Facciolo family is well respected and well known in Bayonne, N. J. and in our general community. They have long made outstanding contributions to our communal and social life in our area.

Mr. Ghnassia has an honest, sincere desire to become an American citizen and to settle here with his wife, who is an American citizen, and their daughter. He is an intelligent and conscientious young man and I am sure would complement our citizenry.

I am proud to bring him to you for your earnest consideration.

Cordially,

ALFRED D. SIEMINSKI,
Member of Congress.

JAFFE & STERN,
New York, N. Y., February 20, 1952.

HON. ALFRED D. SIEMINSKI,
House of Representatives,
Washington, D. C.

SIR: I represent one Maurice Ghnassia, son-in-law of Dr. and Mrs. Frank Facciola, who are constituents of yours, residing at 562 Boulevard, Bayonne, N. J.

I have had several meetings with Mr. Robert C. Alexander, Assistant Chief of the Visa Division of the Department of State, and considerable correspondence has passed between us in connection with the matter of the application of said Maurice Ghnassia for a permanent immigration visa to this country.

Mr. Ghnassia married a daughter of the Facciolas in France. Mrs. Ghnassia is a native-born American citizen and a graduate of Vassar College. The Ghnassias live in Paris. Mrs. Ghnassia is presently with child and I understand that the baby is due to arrive some time in the latter part of May or the early part of June of this year.

The application of Mr. Ghnassia for a permanent visa has been denied on the ground that Ghnassia was convicted of a crime of fraudulently stealing certain moneys some time in 1944.

I do not wish to burden you with the facts in this letter, but I am taking the liberty of enclosing a brief filed by my firm with the Department of State. This brief will give you a good idea of what is involved. I also have available copies of the exhibits listed on page 2 of said brief and I shall be pleased to forward same to you for your examination and consideration. Should you wish it, I shall come to Washington to discuss the matter with you.

Mr. Alexander has very graciously agreed to accompany me to any such meeting and present the viewpoint of the Department of State. I believe I am quite correct in saying that the problem that faces the State Department is purely a technical one but that based on the equities and moralities of the situation Mr.

Alexander will confirm to you the fact that the Department would be willing to go along and urge the admission of Mr. Ghnassia as a permanent immigrant into this country.

For the moment the Department appears to be stymied by reason of the fact that it does not have available to it the record of the trial at the Court of Assizes at Bonneville, France, where Ghnassia was originally convicted. It does have the record of the court of appeals.

Quite apart from the equities and moralities involved in the fact situation, we are reasonably confident that the crime of which Ghnassia was convicted would not be regarded as a crime involving moral turpitude under our laws.

I am making every effort to secure the record of the trial at Bonneville. The Department of State has made a request of the French Government to make this record available, but apparently the French Government is reluctant to move. Under the French law, Ghnassia, who was a patriot and a member of the Maquis underground and served with distinction, has been pardoned under an amnesty granted by the French Republic. Accordingly, so far as the French Government is concerned Ghnassia is no criminal and has never been convicted of a crime. The whole matter has been wiped out and is a nullity. You can understand therefore why the French authorities are loathe to reopen the situation. The desire on the part of the French to help their patriot citizen is in fact hurting him.

If my efforts to get such record should prove unavailing, it might be entirely desirable to have a bill introduced into Congress enabling Ghnassia to come to this country with his American-born wife and have the child born on American soil.

I shall be very happy to arrange to have such a bill drafted if you agree.

May I hear from you at your earliest convenience.

Sincerely yours,

WILLIAM B. JAFFE.

STATEMENT OF LAWYER'S OPINION FOR THE USE OF THE CONSUL OF THE UNITED STATES, PARIS

GHNASSIA MAURICE CASE

REPUBLIC OF FRANCE, CITY OF PARIS,

Embassy of United States of America, ss:

M. Ghnassia Maurice has had, in the matter of acts committed in 1944, the benefit of the Act of Amnesty of August 16, 1947, article 10, stating that such acts do not constitute an offense.

M. Ghnassia had been prosecuted on account of those acts, then defined as thefts, and sentenced to 1 year's imprisonment. The act of amnesty has entirely removed from those acts their character of offense. It was therefore wrongly that Maurice Ghnassia was found guilty and received sentence on that score.

Indeed the Act of Amnesty of August 16, 1947, article 10, states that there exists neither crime nor offense in the special circumstances which said article has in view, namely when the acts in point have been committed by a person having having belonged to the French Forces of the Interior, which is M. Ghnassia's case.

The French Act of Amnesty has the essential effect of removing the character of breach of the law, of taking away their penal character from acts which it considers as being wrongly qualified as punishable. It does away with the offence itself and stipulates that persons falling under the conditions it determines, shall be declared innocent of all the crimes or offences with which they had been charged at the time.

The above amnesty abolishes entirely the positions taken up by ethics and a conception of public order belonging to the past which it considers as founded upon an error.

The acts thus amnestied may not, in any case, be punished since they do not constitute an offense, either in the past or in the future.

The law forbids all prosecution and orders to suppress it when started. With all the more reason it orders to remove all sentences passed on account of the acts in point. It formally prohibits to allow to remain in existence any remains of prosecution, judicial inquiry or sentence relating to amnestied acts, either in the judicial or the administrative spheres. The police record must show a blank and the No. 1 bulletins used for the establishment of said police record must be destroyed. The law of August 16, 1947 (art. 38 and circular letter of August 23, 1947), punishes all functionary, either in the judicial or the administrative spheres, who has allowed to subsist any remain of an inculpation.

Thus the Act of Amnesty, in the present case, pronounces that M. Maurice Ghnassia is innocent of all offense since he has had the benefit of said act in reason of the fact that he belonged to the French Forces of the Interior. The acts in point, besides, were committed to serve the cause of the resistance.

PARIS, August 4, 1950.

SIMONE DELABORDE DE PENGUERN

Barrister, Court of Paris; Laureate of the Faculty of Law, Paris; Goullencourt prize (Licence in law); Certificated by the Institute of criminology

(Signed by hand) SIMONE DELABORDE DE PENGUERN.

Herewith annexed the photostat of the certificate of appurtenance to the French Forces of the Interior of M. Maurice Ghnassia.

I, the undersigned, Lanoire (Maurice), sworn translator to the Civil Tribunal of Paris, certify hereby that the above is the faithful translation of a statement of lawyer's opinion signed by Me S. Delaborde de Penguern, barrister in Paris. In testimony whereof I have this day signed and delivered the present translation to be used according to the law.

Done in Paris, October 11, 1950.

(Signed) M. Lanoire

(Typed) MAURICE LANOIRE,

Interprète-Traducteur, Tribunal Civil de la Seine.

Subscribed and sworn to before me this day of October 12, 1950, by Maurice Lanoire.

ADELE DIX,

Vice Consul of the United States of America.

Hilda Anna Stegedirk and Roswitha Hewerer—H. R. 5122, by Mr. Cunningham

The beneficiaries are mother and daughter who are natives and citizens of Germany. The adult beneficiary, Mrs. Stegedirk, was admitted to the United States as a nonquota immigrant as the wife of a citizen of the United States in 1950, and her daughter was subsequently admitted to the United States as a preference quota immigrant in 1951.

The pertinent facts in this case are contained in a letter, dated June 22, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter, and accompanying memorandum, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 22, 1955.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 5122) for the relief of Hilda Anna Stegedirk and Roswitha Hewerer, her minor daughter, there is attached a memorandum of information concerning these beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to these beneficiaries by the Omaha, Nebr., office of this Service, which has custody of those files.

The bill provides that the beneficiaries shall be considered to have been admitted to the United States for permanent residence as of the date of the enactment of the bill upon payment of the required visa fees. It also provides for the deduction of two quota numbers from the appropriate quota for the first year that such quota is available. It is noted that the minor beneficiary was charged to the appropriate quota upon her entry into the United States as an immigrant on January 25, 1951, and paid the required visa fee. The adult beneficiary paid the required visa fee at the time she was issued nonquota immigrant visa at Berlin, Germany, November 6, 1950. It is suggested that the committee may wish to amend that portion of the bill which makes reference to those requirements.

The adult beneficiary is chargeable to the quota of Germany.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE HILDA ANNA STEGEDIRK AND HER DAUGHTER, ROSWITHA
HEWERER, BENEFICIARIES OF H. R. 5122

The adult beneficiary, Hilda Anna Stegedirk, nee Broer, formerly Hewerer, native and citizen of Germany, was born March 12, 1913. She has been married twice. Her first husband died, and her second husband, John Stegedirk, was granted an uncontested divorce on the grounds of cruel and inhuman treatment in March 1952. Her only child, the minor beneficiary, resides with her at 1223 14th Street, Des Moines, Iowa. The adult beneficiary is employed by Barnes Cleaners, 2706 Ingersoll Street, Des Moines, Iowa, where she earns \$52 per week. Her assets consist of approximately \$200 in savings. She has a high-school education. She has no close relatives residing in the United States, and her parents reside in Germany.

The minor beneficiary, Roswitha Hewerer, native and citizen of Germany, was born May 28, 1938. She is a student and earns about \$5 a week from part-time employment as a grocery clerk.

The adult beneficiary was accorded a nonquota status by reason of her marriage to John Stegedirk, a naturalized citizen of the United States, in Berlin, Germany, June 9, 1950, and was admitted to the United States as a nonquota immigrant November 11, 1950. Deportation proceedings were instituted February 27, 1953, on the ground that the visa was obtained through fraud in that the beneficiary contracted a marriage to procure entry into the United States as an immigrant and failed or refused, after entry, to fulfill the marital agreement. An appeal from an order of deportation, which was entered September 3, 1954, is pending before the Board of Immigration Appeals. The minor beneficiary, who was admitted to the United States January 25, 1951 was found deportable on the charge that she was not a preference quota immigrant as specified in the visa she presented at the time she entered the United States, and an order for her deportation was entered September 3, 1954. Her case is also before the Board of Immigration Appeals.

While it appears that there is no administrative relief available to the adult beneficiary, the minor beneficiary may be eligible for preexamination.

Mr. Cunningham, the author of H. R. 5122, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his measure.

In addition, Mr. Cunningham submitted the following letter in support of this legislation:

LUNDY AND TONINI,
Des Moines, Iowa, February 17, 1956.

Re Hilda Anna Stegedirk, and Roswitha Hewerer, her daughter

HON. PAUL CUNNINGHAM,
House Office Building, Washington, D. C.

DEAR SIR: I want to bring to your attention a few of the facts pertaining to the above individuals.

As to the adult respondent: Immigration and Nationality Act, section 241 (a) (1)—Excludable by law existing at time of entry—person not entitled to admission on the nonquota visa which she presented upon arrival for the reason that such visa was obtained through fraud, in that she contracted a marriage to procure entry to the United States as an immigrant and failed or refused after entry, to fulfill her promises for such marital agreement, under section 3 of the act of May 14, 1937.

As to the minor respondent: Immigration and Nationality Act, section 241 (a) (1)—Excludable by law existing at time of entry—not a preference quota immigrant as specified in the visa in her immigration visa, as required by section 13 (a) of the act of May 26, 1924.

Hearings were held on the above charges as provided by our immigration laws and on September 3, 1954, the special inquiry officer, in an opinion of that date, found that they were deportable aliens and should be deported from the United States in the manner provided by law on the charge stated in the warrant of arrest relating to their cases. This was subsequently appealed to the United States Board of Immigration Appeals by me as attorney for them. At the time of such appeal, I submitted a brief, titled "Appeal from the Decision and Order of the Special Inquiry Officer." A copy of said appeal is marked "Exhibit A," and attached hereto and made a part of this letter. At the same time, I also filed

a "Motion to reopen." A copy of said motion to reopen is marked "Exhibit B" and attached hereto, and by this reference made a part of this letter.

On October 21, 1955, the Board of Immigration Appeals entered an order sustaining my appeal from the order of the special inquiry officer, and thereby terminated the proceedings. Subsequently on November 18, 1955, the Acting Assistant Commissioner, Examinations Division, of the Immigration and Naturalization Service, filed a motion asking that the Board of Immigration Appeals reconsider and withdraw its order of October 21, 1955, and enter an order reopening the proceedings, and remanding them to the special inquiry officer, for the lodging of another charge against the adult respondent, and for such other and further action as may be deemed appropriate. Attached hereto and marked "Exhibit C," and by this reference made a part of this letter, is a copy of a brief submitted by me, titled "Brief and Opposition to Motion to Reopen Proceedings." No action has yet been taken insofar as I know by the United States Board of Immigration Appeals on this last motion to reopen.

In substance, the Government feels that at the time the adult respondent, Hilda Anna Stegedirk, entered into the marriage with John Stegedirk of Harden County, Iowa, she did not have the intention of fulfilling her marital agreement, and therefore she obtained the visa through fraud. If then, she was not entitled to entry then they contend that the subsequent entry by her daughter, was also not proper. The mother, Hilda Anna Stegedirk, was first married on June 26, 1937, to the father of Roswitha Hewer. The first husband of Hilda Anna Stegedirk was killed while a soldier in the German Army in 1944. He was killed by the Russians. She subsequently on June 9, 1950, married John Stegedirk, a citizen of the United States, in Berlin, Germany.

It appears that Mrs. Stegedirk had relatives in Harden County, Iowa, more specifically, a great uncle, Louie Broer, of New Providence, Iowa. Shortly after the war, she started a correspondence with these relatives and it is the contention of the Government that during that time she suggested that maybe they knew of an American man who would want a German wife, and would come to Germany and marry her, and if she did, she would be willing to come to the United States, and would take their word that he was a good man. Subsequently, her second cousin, Ted Broer, went to Germany and visited her and later on a second trip he brought John Stegedirk with him, and the marriage took place. John immediately, the day after the ceremony, left for the United States, and she followed him, and finally arrived here on November 14, 1950. Her daughter followed on January 18, 1951.

John Stegedirk has lived a bachelor life during his entire lifetime in the United States, which as I recall has been approximately 35 years. He is the owner of a 40-acre tract of land, which is entirely in weeds with not one single parcel of that land being cultivated. I had occasion to visit his house, and I can assure you that I have never seen anything that looked quite so disorganized. It was a mess.

When Mrs. Stegedirk arrived in the United States, her husband did not offer to have her move down in that home with him. As a matter of fact, on about the second or third day after her arrival, she and her second cousin went down to the home and attempted to go inside to look it over, and her husband refused entry, and explained that it was not in condition to be seen. In other words, in spite of the fact that he had returned in the summer of 1950, and she had not gotten here until the late fall, he had done nothing toward making that a livable home. She did finally move in there in April and then went to Iowa Falls, where she worked plucking chickens at the Swift & Co. poultry house. During this period of time and up to the time they were finally divorced and she left for Des Moines, her husband did not work. As a matter of fact, he at no time supported her and her minor daughter. She on the other hand, continued working and was the support of the three of them.

She advises me, and I know it is true because I have verified it through other people, that the home in which she was asked to move did not have one stick of furniture. She started housekeeping with nothing, and had to wait for her relatives to contribute various usable articles. She finally put the house in order so that it was livable and presentable. John Stegedirk, subsequently filed a divorce proceeding. She was not represented by counsel and he eventually secured a divorce by default, although she had pleaded with him on many occasions that if it was not possible for them to live as man and wife with regular marital relations between them, they might live together and have a companionate marriage. The record would show it was he who left the house, and left her and her daughter to make their way on their own initiative, and that it was he who left

the note at her house stating that he was leaving her never to return. Had she employed counsel, he would have been unable to obtain a divorce.

The Government has felt that Hilda Anna Stegedirk failed in being a good wife because there was not regular marital relations between them. As a matter of fact she states that she was willing and able to consummate marital relations, but that he was not able.

Since the middle of 1951, Hilda Anna Stegedirk and her daughter have lived in Des Moines. The daughter has a fine record in high school and both the mother and daughter are regular communicants of the Lutheran Church. Mrs. Stegedirk has filed her application for American citizenship, which of course cannot be granted so long as this proceeding stands. The local citizenship teacher, who teaches aliens and prepares them for naturalization, would testify that she has made a real effort to become a citizen and attends classes regularly.

I want you to also keep in mind that in the event this woman and her daughter were to be deported, they would have to go to the Eastern Zone of Germany. They have no friends, no relatives, no home in the Western Zone. The father-in-law of Mrs. Stegedirk was taken by the Russians. His whereabouts are unknown. Any property they might have had, has been probably confiscated.

A woman without a husband, and with a burden of maintaining a minor child would have no alternative but to go to the place where she would have the most contacts, and in this case, it would be the Eastern Zone of Germany. Now what would happen should this woman go to the Eastern Zone of Germany? I have been in the Intelligence work from the date I was drafted in 1941 until the present time when I still am Commanding Officer of a Counter Intelligence Corps Detachment holding the rank of lieutenant colonel. With my intelligence experience I know just what would happen to these individuals. Of course, the Russians would hold them out as an example of two people who had attempted to live by the advice of the allies and crossed from the Russian Zone and subsequently got to the United States, but who had subsequently been kicked out and returned to the Eastern Zone. I wonder what effect that would have on others in the Eastern Zone, who might be listening to our broadcasts, our propaganda, and our inducements for them to think of us as their friends. Secondly, I think that it would be important to the Eastern Zone from an intelligence standpoint. No matter what her loyalties might be and no matter how much she might like the United States, she would have to eventually do what those of the Eastern Zone wanted her to do. And of course, by that I mean, tear down the United States, and slander it, and of course give whatever information she might have.

My dear Congressman, I want you to know that I have worked on this matter over a period of more than 2 years. Just the other day, I was figuring my time, and on the normal time basis, I believe that I have time which would normally be chargeable at approximately \$4,000 to \$5,000. This is merely figuring my time on a per hour basis. What I have received has merely taken care of long-distance calls and other expenses in perfecting her defense. These people need the help of somebody. Mrs. Stegedirk has, by going through all of these proceedings over a period of years, become a nervous wreck, and has on many occasions threatened to commit suicide. It has taken all of my strength and the persuasive powers of others to convince her that eventually she would be permitted to remain here and that we must fight this through.

I want you to know that I have dedicated myself to this cause because I have found not only because it is a meritorious case, that no other person is available for them to lean on. Your assistance is earnestly and sincerely solicited in getting the special legislation approved. To let this matter ride on, would be merely to subject these people to humiliation, worry and unnecessary punishment.

Until the United States Board of Immigration Appeals held in their favor, this cause was unknown to the general public in Des Moines. Since the favorable decision, it has become a celebrated matter in this community. This is not only because the American people love the underdog, but because I believe that justice and fairness is on their side. Assuming that this woman intentionally married John Stegedirk for the purpose of entering the United States. I am willing to assume this for the sake of argument. On the other hand, the record would be replete with evidence that this woman intended to make a good home for John Stegedirk, did make a good home for him, and certainly one better than he had before during his lifetime. If permitted, she would continue to this date to make a good home for him. To permit her deportation to Germany and subsequent entry into the Eastern Zone of Germany would be a disgrace to the United States and a black mark on the conscience of everyone of us who profess to be a true American. This woman hates the Communists with an intensity never seen by

me before. Her daughter is growing up to be a fine American girl, and Mrs. Stegedirk still works hard each day in a cleaning plant with not too much remuneration. If we have acquired two people from a far-off shore to work hard and who believe in the ideals and the principles of our democracy, I believe that we have been enriched, and the European country from whence they came has been the loser.

You will note that in my motion to reopen, I included correspondence which was not available to me at the time of the original hearing. No action was taken on the motion to reopen. I imagine that no action was taken because the United State Board of Immigration Appeals felt that none was necessary in view of their decision that the proceedings should be terminated.

I want you to know that I would deeply appreciate anything you can do for these two people, and I also want you to know that whatever committee of Congress and whichever Members of Congress intercede on their behalf will be justly repaid in the end for a deed well done.

Very truly yours,

LUNDY AND TONINI,
By MELLIO A. TONINI.

Upon consideration of all the facts in each case included in the joint resolution, the committee is of the opinion that House Joint Resolution 554, as amended, should be enacted and accordingly recommends that the joint resolution do pass.

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